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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA RUIC KIMBALL,

Defendant.

CASE NO. 1:23-cr-00221-JAM-BAM

**STIPULATION AND ORDER RESETTING
CHANGE OF PLEA HEARING**

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was scheduled for change of plea on April 8, 2025. Time has been previously excluded until May 19, 2025.

2. The parties have reached and filed a plea agreement in this case.

3. On April 1, 2025, counsel learned that the defendant is experiencing a medical issue. Because of this, he is seeking a continuance for approximately one month. The first available date for the court and all counsel is May 20, 2025.

4. By this stipulation, the parties move to vacate the above dates and set a change of plea on **May 20, 2025**, in front of US District Judge John A. Mendez.

5. The parties agree and stipulate, and request that the Court find the following:

1 a) The government has represented that the discovery associated with this case
2 includes investigative reports, and related documents, photographs, etc., in electronic form. All
3 of this discovery has been either produced directly to counsel and/or made available for
4 inspection and copying.

5 b) May 20, 2025 is a date where defense counsel can travel from out of state to the
6 Eastern District to effectuate a plea, and is not a date that would cause undue delay in the
7 proceedings.

8 c) The government does not object to the continuance.

9 d) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of May 19, 2025 to May 20, 2025,
14 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A) and 18 U.S.C.
15 § 3161(h)(7)(B)(iv) because it results from a continuance granted by the Court at defendant's
16 request on the basis of the Court's finding that the ends of justice served by taking such action
17 outweigh the best interest of the public and the defendant in a speedy trial.

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6. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: April 1, 2025

MICHELE BECKWITH
Acting United States Attorney

/s/ ROBERT L. VENEMAN-HUGHES
ROBERT L. VENEMAN-HUGHES
Assistant United States Attorney

Dated: April 1, 2025

/s/ KATRYNA SPEARMAN
KATRYNA SPEARMAN
Counsel for Defendant
JOSHUA RUIC KIMBALL

ORDER

Based on the stipulation of the parties, the April 08, 2025 change of plea hearing and the May 19, 2025 trial are **VACATED**. The change of plea hearing is **RESET** for **Tuesday, May 20, 2025, at 09:00 a.m., in person**, in Courtroom 6, on the 14th floor of the Robert T. Matsui U.S. Courthouse, in Sacramento, California, before Senior District Judge John A. Mendez.

Time is **EXCLUDED** through and including May 20, 2025, as set forth above.

Dated: April 01, 2025

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE